

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In the Office Action, the Examiner rejects claims 1-22 under 35 U.S.C. §103(a) as being allegedly unpatentable over U.S. Patent No. 6,285,990 B1 to David K. Lee et al. (hereinafter "Lee") in view of U.S. Patent No. 6,058,384 to Perry A. Pierce et al. (hereinafter "Pierce"). In response, the claims have been amended to clarify their distinguishing features.

Specifically, independent claims 1, 8 and 15 have been cancelled, and dependent claims 2, 9 and 16 have been amended to include the limitations of independent claims 1, 8 and 15. The Examiner agrees that Lee does not disclose the limitations of original dependent claims 2, 9 and 16, but alleges that Pierce discloses these limitations. Applicants respectfully disagree with the Examiner for at least the reasons as set forth below.

Claim 2 recites a verifying means that receives a digital certificate from a receiver, containing a digital signature of the receiver, and verifies whether the digital certificate making an electronic stamp invalid is valid or not by using an identifier of the receiver. The claim further recites an amount increasing means for increasing a prepaid amount, and an invalid electronic revenue stamp recording means for recording the digital certificate making the electronic revenue stamp invalid. Claims 9 and 16 recite a similar method and program storage device, respectively.

As shown in Fig. 2, the electronic revenue stamp issuing apparatus of the present invention provides a judging section 1, an issuing section 2, a balance amount reducing section 3, a verifying section 4, an amount increasing section 5, and an invalid electronic revenue stamp recording section 6. The receiver issues a certificate making the electronic revenue stamp invalid, and this certificate is inputted to the verifying section 4. The verifying section 4 verifies

that the electronic revenue stamp is issued by the electronic revenue stamp issuing apparatus 100 by using the signature attached to the electronic revenue stamp.

The verifying section 4 reads out the identifier of the receiver written in the electronic revenue stamp, and verifies that the identifier of the receiver has been validly given to the certificate making the electronic revenue stamp invalid. After the verification, the amount increasing section 5 increases the amount by the amount of the electronic revenue stamp. Then, the invalid electronic revenue stamp recording section 6 records the electronic revenue stamp that was made to be invalid. The verifying means is part of the stamp issuing apparatus, as shown in Fig. 2 and recited in the claims.

In Pierce, as shown in items 115 and 130 in Fig. 2, it is the data center that determines whether or not a refund is appropriate. The verification means in the present invention verifies whether or not an input message is reliable to execute a refund, no matter who transferred the message. The verification is based on the signature of an intended receiver of the digital stamp and not based on the signature of the data center. In the Pierce reference, the one who signs a signature is fixed in all situations, but in the present invention, the one who signs a signature can be different depending on the situation. In other words, the present invention does not require a data center apparatus and can identify who issued a stamp to whom without the data center, which is required in Pierce. Thus, the present invention can be widely applied to real commercial transactions. The present invention can execute a refund procedure without communicating with a uniquely managed body such as the data center in Pierce, and can execute this refund procedure simply by a local communication with an intended receiver of a stamp.

Neither reference of Lee nor Pierce discloses a stamp issuing apparatus with a verifying means or method that verifies whether the digital certificate making an electronic stamp invalid

is valid or not by using an identifier of the receiver, as recited in independent claims 2, 9 and 16. It has been held by the Courts that to establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). The cited references of Lee and Pierce, individually or in combination, fail to disclose this feature. Therefore, the present invention, as per independent claims 2, 9 and 16, is patentably distinguishable over the cited references of Lee, individually or in combination with Pierce.

Therefore, it is respectfully requested that the 35 U.S.C. §103(a) rejection of the claims be withdrawn, and respectfully requested that claims 2-7, 9-14 and 16-22 be allowed.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorney would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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